SUPREME COURT, U. S.

AUG 24 1970

E. ROBERT SEAVER, CLERK

IN THE

Supreme Court of the United States

October Term, 1970

No. 584

DURWOOD T. PYE,

Appellant,

versus

STATE HIGHWAY DEPARTMENT OF GEORGIA,

and

HOWARD W. ALLGOOD,

Appellees.

Appeal from the Supreme Court of Georgia

JURISDICTIONAL STATEMENT

Durwood T. Pye, Appellant
Pro Se
801 Fulton County Courthouse
Atlanta, Georgia

INDEX

Subject Index

Page

(A) A reference to the official and unofficial reports of the opinions delivered in the Courts below, if any, and if reported 1

(B) A concise statement of the grounds on which the jurisdiction of the Supreme Court of the United States is invoked 2

(C) The Questions presented by this Appeal 8

(D) A concise statement of the case containing the facts material to the consideration of the questions presented 12

(E) The Federal Questions Are Substantial 20

Conclusion 32

Appendix A

Judgment and opinion of the Superior Court of Fulton County, Georgia 33

Appendix B

Judgment of the Supreme Court of Georgia 47

Appendix C

Opinions in the Supreme Court of Georgia, both majority and dissenting opinions 48

Appendix D

Notice of Appeal to the Supreme Court of the United States 104

Appendix E

Resolution of the General Assembly of Georgia set forth in Georgia Laws 1960, pages 1225-1227, inc., proposing to the electors the

INDEX (Continued)

Page

Amendment of Article 1, Section 111, Paragraph 1, of the Constitution of Georgia, the validity of which Amendment is drawn in question 108

Appendix F

Portions of the Act approved April 5, 1961, Georgia Laws 1961, pages 517-529, enacted pursuant to said Amendment 111

Appendix G

Excerpts from Official Materials of the State Auditor Illustrative of Bonded Indebtedness of the State of Georgia 117

Appendix H

Excerpts from Official Materials Illustrative of the Bonded Indebtednes of the City of Atlanta, Georgia 118

Appendix I

Excerpts from Official Materials of the Comptroller of Fulton County, Georgia, Illustrative of the Bonded Indebtedness of Fulton County, Georgia 119

TABLE OF CASES AND STATUTES CITED

Cases:

Backus v. Fort Street Union Depot Co., 169 U.S. 557 ..... 6, 21, 25, 27

Bragg v. Weaver, 251 U.S. 57 22

Cherokee Nation v. Kansas Railway Co., 135 U.S. 641 22

TABLE OF CASES AND STATUTES *(Continued)*

Page

Chicago, Burlington and Quincey Railroad Co. v. Chicago, 166 U.S. 226 ..... 6, 21, 25, 26

Crozier v. Fried, Krupp Aktiengesellschaft, 224 U.S. 290 22

Harrison v. City of East Point, 208 Ga. 692 3

Kaukana Water Power Co. v. Green Bay and Mississippi Canal Co., 142 U.S. 254 ..... 6, 25, 28

Kennedy v. Indianapolis, 103 U.S. 599 22

Mississippi Canal Co., 142 U.S. 254 ..... 6, 25, 28

Mayflower Farms, Inc. v. Ten Eyck, Commissioner etc., 297 U.S. 266 ..... 22, 25

Morey v. Doud, 354 U.S. 457 ..... 23, 25

Pilgreen v. City of Atlanta, 204 Ga. 710 3

Sweet v. Rechel, 159 U.S. 380 21

Constitutional Provisions and Statutes:

U. S. Constitution, Article I, Section X 23

U.S. Constitution, Amendment XIV, Section I 8, 16, 26, 27

28 U.S.C., Section 1257(2) 5, 25, 26

Constitution of Georgia, Article I, Section III, Paragraph I (Code Ann. Sec. 2-301) 3, 6, 8, 9, 10, 13, 15, 20, 21

Ga. Laws 1960, 1225-1227 ..... 3, 6, 15, 20

Ga. Laws 1961, 517-529 ..... 2, 9, 13